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COATS & BENNETT, PLLC			HOM, SHICK C	
P O BOX 5			ART UNIT	
RALEIGH, NC 27602			PAPER NUMBER	
			2666	

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

ck  
Application No.

09/975,760

Applicant(s)

BASILIER, HENRIK

Examiner

Shick C. Horn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/11/01 & 6/26/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/11/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/26/03, 10/11/01.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objections***

2. Claims 13-17, 21-37, and 39-44 are objected to because of the following informalities: in claim 13 line 5, claims 23, 40 line 2 spell out acronym, i.e. delete "a MS" and insert ---a mobile station MS---. Likewise, in claims 21, 39, line 2 delete "a BS" and insert ---a base station BS---. In claims 23, 30, 40 line 3 delete "a MCFTP" and insert ---a multi-channel flow treatment protocol MCFTP---. In claim 27 line 7 delete "a base station" and insert ---a base station BS---. In claim 27 line 11 delete "a mobile station" and insert ---a mobile station MS---. In claim 44 line 1, delete typo "the sends." Appropriate correction is required.

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***Claim Rejections - 35 USC § 112***

3. Claims 1-8, 13-17, 24-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 lines 3-4 which recite using a MCFTP statement to manage a multicast session information flow is not clear as to what features of the MCFTP statement is being used to manage the multicast session information flow since a MCFTP statement is merely a packet with a predetermined format and fields, i.e. there's no field in the statement to manage multicasting. In claim 13 line 6 which recite "an MS" is not clear as to whether it is reciting ---said MS--- of claim 13 line 5 or ---another MS---. In claim 13 line 7, claims 14, 15, 25, 32 lines 2, 3-4, claims 24, 31 line 2 which recite "the multicast flow" lacks clear antecedent basis because no multicast flow have been previously recited in the claims and therefore the limitation is not clearly understood. In claim 7 lines 1-2, claims 16, 26 line 2 which recite "the multicast service" lacks clear antecedent basis. In claim 27 line 7 which recite "the inter-relationship" lacks clear antecedent basis.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 9, 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Jorgensen (6,862,622).

Regarding claims 9, 18-19:

Jorgensen discloses the method for managing a multicast session in a communication system, comprising the steps of generating a first multicast flow identifier that is used to select one of many available multicast session information

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flows; generating a second multicast flow identifier, smaller than the first multicast flow identifier, that is used to select one of many available multicast session information flows; and establishing an inter-relationship between the first multicast flow identifier and the second flow identifier (see col. 18 lines 19-39 which recite creating a number of discrete classes of service whereby multiple IP flows can be consolidated and handled with a given set of QoS parameters in wireless network and wherein the packet flow is identified by the source IP address, source TCP port, destination IP address, and destination IP port and col. 39 lines 57-65 which recite support for multicasting clearly reads on generating the first and second multicast flow identifiers for selecting one of many available multicast session information flows; col. 62 lines 2-25 which recite the IP data flow being classified into QoS requirements and priority class reads on establishing the inter-relationship between the first multicast flow identifier and the second flow identifier and wherein one being smaller than the other because clearly the priority of the first IP data flow may be lower or smaller than the second IP data flow; further col. 75 lines 37-47 which recite transmitting a TCP sliding window block of packets whereby upon detection of congestion, the size of the window is altered, i.e. a smaller

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block, (i.e. a smaller window) of packets is send clearly reads on the second flow identifier being smaller in size than the first flow identifier).

6. Claim 38 is rejected under 35 U.S.C. 102(e) as being anticipated by Yang et al. (5,917,819).

Regarding claim 38:

Yang et al. disclose the communication system for managing a multicast session, comprising: a router configured to generate a first multicast flow identifier that is globally unique and used to select one of many available multicast session information flows (see col. 3 lines 7-19 which recite generating the global multicast identifier).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the

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art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baum et al. (6,850,495).

Regarding claims 1-2:

Baum et al. disclose a method for managing a multicast session in a communication system, comprising the step of using a multi-channel protocol statement to manage a multicast session information flow as in claim 1 and wherein the using step includes requesting connection to said multicast session with said multi-channel protocol statement (see col. 22 lines 11-64 which recite the use of the Internet group multicast protocol to manage the multicast address space for specific groups of customers wherein the aggregation unit can deny requests to join a multicast group).

Regarding claims 3 and 8:

Baum et al. disclose wherein the multi-channel protocol statement includes an indication of the type of communication channel to be used as in claim 3 and wherein the using step includes identifying said multicast session information flow with said multi-channel protocol statement as in claim 8 (see



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Fig. 29 and col. 19 lines 25-55 which recite the channel identifiers and the multicast access control list groups in the address tables used by the aggregation unit and col. 26 lines 34-42 and col. 26 line 56 to col. 27 line 6 which recite the use of type of service field within the packet header clearly reads on the indication of the type of communication channel to be used as in claim 3 and identifying the multicast session information flow with the MCFTP statement as in claim 8).

For claim 1-3 and 8, Baum et al. disclose all the subject matter of the claimed invention with the exception of recite the multi-channel protocol being the specific multi-channel flow treatment protocol MCFTP as recited in claim 1.

Since applicant fail to clearly indicate in the specification the specific features of MCFTP standard being used and how the MCFTP statement manages a multicast session information flow, it appears that any standard multi-channel protocol, including such as that recited in Baum et al. can be used to manage the multicast session.

9. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baum et al. (6,850,495) in view of Andersson et al. (2003/0012217).

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For claims 4-7, Baum et al. disclose the method described in paragraph 5 of this office action. Baum et al. disclose all the subject matter of the claimed invention with the exception of wherein the indication of the type of channel specifies a radio broadcast channel as in claim 4; wherein the indication of the type of channel specifies a dedicated radio channel as in claim 5; wherein the dedicated radio channel is dedicated to a particular mobile station (MS) as in claim 6; and wherein the MS is a mobile telephone and the multicast service is provided using Internet protocol (IP) as in claim 7.

Andersson et al. from the same or similar fields of endeavor teach that it is known to provide wherein the indication of the type of channel specifies a radio broadcast channel (see paragraphs 0034-0035 which recite the type of channel being radio broadcast as in claim 4); wherein the indication of the type of channel specifies a dedicated radio channel (see paragraph 0014 which recite the dedicated type radio channel as in claim 5); wherein the dedicated radio channel is dedicated to a particular mobile station (MS) (see paragraph 0014 and the abstract which recite the type of channel being a radio channel dedicated to a mobile radio user as in claim 6); and wherein the MS is a mobile telephone and the multicast service is provided using Internet protocol (IP) (in

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Fig. 4, see the PSTN/ISDN network, IP network, and mobile station and paragraph 0033 which recite the universal mobile telecommunications system including the telephone network and Internet network). Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide wherein the indication of the type of channel specifies a radio broadcast channel; wherein the indication of the type of channel specifies a dedicated radio channel; wherein the dedicated radio channel is dedicated to a particular mobile station (MS); and wherein the MS is a mobile telephone and the multicast service is provided using Internet protocol (IP) as taught by Andersson et al. in the communications method of Baum et al. The indication of the type of channel specifies a radio broadcast channel; the indication of the type of channel specifies a dedicated radio channel; the dedicated radio channel being dedicated to a particular mobile station (MS); and the MS being a mobile telephone and the multicast service being provided using Internet protocol (IP) can be implemented by connecting the telephone network and Internet network of Andersson et al. into the mobile system of Baum et al. and using the type indicator specifying a radio broadcast channel, a dedicated radio channel, and a dedicated radio channel being dedicated to a particular mobile station of

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Andersson et al. in the protocol of Baum et al. The motivation for using the type indicator specifying a radio broadcast channel, a dedicated radio channel, and a dedicated radio channel being dedicated to a particular mobile station and connecting the telephone network and Internet network as taught by Andersson et al. into the protocol and mobile system, respectively, of Baum et al. being that they provide the added feature of the Internet and more efficiency for the system since the system can permit a variety of communication service to be provided with the channel-type switching decision at the switch, respectively.

10. Claims 10-12, 20-22, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jorgensen (6,862,622) in view of Yang et al. (5,917,819).

For claims 10-12, 20-21, Jorgensen discloses the method and system described in paragraph 6 of this office action.

Jorgensen discloses all the subject matter of the claimed invention with the exception of wherein the first multicast flow identifier is globally unique and the second multicast flow identifier is locally unique as in claims 10, 20.

Regarding claims 11-12, 21-22:

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Jorgensen disclose the steps of generating a set of radio parameters to establish a communication channel; and mapping the second multicast flow identifier to the set of radio parameters as in claims 11, 21 and wherein a router generates the first multicast flow identifier and the second multicast flow identifier, and establishes their inter-relationship, and a base station (BS) generates the set of radio parameters as in claim 12 and wherein the system is configured to store the inter-relationship between the first multicast flow identifier and the second flow identifier in the BS as in claim 22 (see col. 18 lines 19-39 which recite creating a number of discrete classes of service whereby multiple IP flows can be consolidated and handled with a given set of QoS parameters in wireless network and col. 62 lines 2-25 which recite the IP data flow being classified into QoS requirements and priority class clearly read on mapping the flow identifier to the set of radio parameters, i.e. QoS parameters; col. 80 lines 23-34 which recite the base station plan and support the QoS policy clearly reads on BS generating the set of radio parameters and storing the inter-relationship).

Yang et al. from the same or similar fields of endeavor teach that it is known to provide wherein the first multicast flow identifier is globally unique and the second multicast flow

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identifier is locally unique (see col. 2 line 52 to col. 3 line 20 which recite which recite the multicast cell having an identifier field which is a global multicast identifier MID and the translator which places the MID in a local header attached to the ATM cell clearly reads on the first identifier being globally unique and the second identifier being locally unique). Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide wherein the first multicast flow identifier is globally unique and the second multicast flow identifier is locally unique as taught by Yang et al. in the communication system and method of Jorgensen. The globally and locally flow identifiers can be implemented by connecting the translator circuit of Yang et al. to the router of Jorgensen. The motivation for generating unique global and local identifiers as taught by Yang et al. in the communication system and method of Jorgensen being that it provides more efficiency for the system because of better memory resource usage and since the system can multicast cells without remapping outgoing VPI/VCI, a memory intensive operation.

11. Claims 39, 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang et al. (5,917,819) in view of Jorgensen (6,862,622).

For claims 39, 42-43, Yang et al. disclose the system described in paragraph 7 of this office action. Yang et al. disclose all the subject matter of the claimed invention with the exception of the BS generating a set of radio parameters to establish a communication channel and maps the first multicast flow identifier to the set of radio parameters as in claim 39; and wherein the system is configured to store the inter-relationship between the first multicast flow identifier and the second flow identifier in the BS as in claim 43.

Regarding claim 42:

Yang et al. disclose wherein the router generates a locally unique second multicast flow identifier, smaller than the first multicast flow identifier, that is used to select one of many available multicast session information flows and establishes an inter-relationship between the first multicast flow identifier and the second flow identifier (see col. 1 lines 48-67 which recite the VPI/VCI connection identifier being mapped to a smaller local address and copied to the cell header clearly anticipate generating a locally unique second multicast flow identifier, smaller than the first multicast flow identifier).

Jorgensen from the same or similar fields of endeavor teach that it is known to provide the BS generating a set of radio

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parameters to establish a communication channel and maps the first multicast flow identifier to the set of radio parameters; and wherein the system is configured to store the inter-relationship between the first multicast flow identifier and the second flow identifier in the BS (see col. 18 lines 19-39 which recite creating a number of discrete classes of service whereby multiple IP flows can be consolidated and handled with a given set of QoS parameters in wireless network and col. 62 lines 2-25 which recite the IP data flow being classified into QoS requirements and priority class clearly read on mapping the flow identifier to the set of radio parameters, i.e. QoS parameters; col. 80 lines 23-34 which recite the base station plan and support the QoS policy clearly reads on BS generating the set of radio parameters and storing the inter-relationship). Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide the BS generating a set of radio parameters to establish a communication channel and maps the first multicast flow identifier to the set of radio parameters; and wherein the system is configured to store the inter-relationship between the first multicast flow identifier and the second flow identifier in the BS as taught by Jorgensen in the communication system of Anderson et al. The BS generating a set of radio parameters to



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establish a communication channel and maps the first multicast flow identifier to the set of radio parameters; and wherein the system is configured to store the inter-relationship between the first multicast flow identifier and the second flow identifier in the BS can be implemented by connecting the identifier generator and BS of Jorgensen to the router and telecommunication network, respectively of Yang et al. The motivation using the identifier generator and BS as taught by Jorgensen in the telecommunication system of Yang et al. being that it provides the desirable added feature of wireless and mobility to the multicast transmission system of Yang et al.

***Allowable Subject Matter***

12. Claims 13-17, 23-26, 40-41, and 44 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

13. Claims 27-37 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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**Conclusion**

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Armitage discloses supporting mobile hosts on an internet protocol network.

Ryu et al. disclose internet-augmented radio port controller unit (RPCU) of personal access communications systems (PACS).

Zhang et al. disclose apparatus and method for efficient delivery of multicast data over personal access communications system (PACS).

Bauman discloses a method and apparatus for controlling the flow of variable-length packets through a multiport switch.

Anderson et al. disclose a telecommunication conferencing system and method.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C. Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Monday to Friday with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the

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organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH

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